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Spencer - School district libraries. 1839

**Harvard College
Library**



By Exchange

CIRCULAR

BY THE

SUPERINTENDENT OF COMMON SCHOOLS

OF THE

STATE OF NEW-YORK:

TO TRUSTEES OF SCHOOL DISTRICTS, LIBRARIANS OF DISTRICT
LIBRARIES, COMMISSIONERS OF COMMON SCHOOLS AND
CLERKS OF COUNTIES.

CONTAINING

"AN ACT RESPECTING SCHOOL DISTRICT LIBRARIES,"

Passed April 15, 1839;

AND

REGULATIONS

FOR THE

**PRESERVATION OF THE LIBRARIES AND FOR THEIR
USE BY THE INHABITANTS OF DISTRICTS.**

PREPARED BY

JOHN C. SPENCER,

SUPERINTENDENT OF COMMON SCHOOLS,

Pursuant to the Act.

ALBANY:

PRINTED BY HOFFMAN & WHITE.

1839.

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HARVARD COLLEGE LIBRARY
BY EXCHANGE
SEP 25 1939

A copy of this Pamphlet will be directed to the Commissioners of Common Schools of each Town, to the Trustees of each School District, and to the County Clerk, of each County in the State, in their official capacity. It will, therefore, belong to their respective offices, and must be handed over to their successors.

The accompanying half sheet of Regulations No. 2, is intended for the Librarian of each District, to be kept by him in his official capacity, and delivered to his successor in office.

Unless care is taken to preserve these papers, and deliver them to the officers charged with duties under the law, they will soon be lost, and great difficulty will be found in supplying the deficiency.

CIRCULAR.

To Trustees of School Districts, Librarians of District Libraries, Commissioners of Common Schools, and Clerks of Counties.

STATE OF NEW-YORK, }
SECRETARY'S OFFICE. }

ALBANY, May 10, 1839.

By "an Act respecting School District Libraries," passed April 15, 1839, the Superintendent of Common Schools is directed to transmit to the Clerks of the respective Counties, a sufficient number of copies of the said Act, to supply each School District in the State, together with forms and instructions for its execution; and each County Clerk is to forward the number directed to each School District in his County, to the Clerk thereof; and by the third section of the said Act, the Superintendent is directed to prepare general Regulations for the preservation of the Libraries, the delivering of them by Librarians and Trustees to their successors in office, and respecting the use of the books, &c.

In pursuance of these provisions the Statute is herewith published, and the subjoined regulations (No. 1 and No. 2) have been prepared. Separate regulations were deemed most advisable, as their subjects are essentially different. No. 1 relates to the preservation of the Libraries, the delivery of the books by the officers charged with their keeping, to their successors, and to their duties in respect to them. No. 2 relates to the use of the books by the inhabitants, the number to be taken out, the fines to be imposed, &c. A separate copy of Regulations No. 2, is herewith transmitted for the use of the Librarian in each District to be posted up or publicly exhibited by him.

As these regulations may appear minute to some, it is proper to remark, that they are intended for the organization of a new and entire system, upon a subject not well understood, and in which directions cannot be too full or too plain. Thousands upon thousands of our citizens are and will be charged with the duties to which these regulations refer; and it is by no means a depreciation of their intelligence to remark, that very many of them have probably never had any connexion with Circulating Libraries, and are not aware of the absolute necessity of strict rules, and a firm adherence to them, to prevent the total destruction of their books in a few years. Complaints are already made that in several Districts, which have procured Libraries, many of the books are injured, and others lost, for the want of some system in their management. It cannot be too strongly impressed upon Trustees and Librarians, that the best system which human ingenuity can devise, will be of no avail unless it is fully and thoroughly executed. These invaluable store-houses of knowledge,—the solace of age, the guide of youth, the stay of manhood, the source of so much happiness to parents and their children,—will depend for their existence upon the vigilance of those who have accepted the sacred trust of watching and preserving them. Heavy, indeed, will be the responsibility for a neglect of those duties upon which so much depends.

The occasion affords a fit opportunity to state what means, according to the laws now in force, are possessed by Districts for procuring Libraries.

1st. Each District may vote a tax not exceeding twenty dollars for the first year, and a sufficient sum to purchase a book-case, and ten dollars every succeeding year, at an annual or special meeting, if notice of the object of the tax be given.

2d. The sum of \$55,000 was appropriated and paid out by State the last year, (1838,) and the same amount was raised by the Counties, making \$110,000.

3d. The same sum of \$110,000 will be distributed for five years to come, under the late act. This will average, according to the present number of children as reported, about 20 cents to each child over 5 and under 16 years of age.

Assuming that a District has 30 children of that description, and raises what it is authorized to do by law, it may have, during the present year the \$20 first authorized to be raised, and the \$6 received last April, making \$26, which will purchase 52 volumes at 50 cents each, or 68 volumes at 38 cents each. If \$10 be raised each year by the District, and added

to the \$6 public money, there will be \$16 to be annually expended, which will procure 32 volumes at 50 cents each, or 42 volumes at 38 cents; and at the end of the five years, with these means constantly applied, such a District will have 212 volumes, if estimated to cost 50 cents per volume, or 278 volumes, at 38 cents each. There are supposed to be 10,583 Districts in the State. If each District should avail itself of the law, at the end of five years from this time there would be 2,248,000 volumes, at 50 cents each, or 2,942,074; at 38 cents each, scattered over the State, diffusing knowledge and happiness. The boasted libraries of the princes of the world, kept for the use of professed students, or men of science only, sink into insignificance when compared with this mighty engine of good, working directly and immediately upon the minds of the mass of our fellow-citizens. And at what a trifling expense will all this be accomplished! The aggregate valuation of real and personal estate in this State, exclusive of the City of New-York, is \$364,000,000; and supposing the 10,583 Districts to raise ten dollars each year, the tax will be three cents upon \$100; and to raise the first twenty dollars would require six cents upon \$100. A man whose property was valued at \$5,000 would pay, for the first year, \$3; and for each of the succeeding five years, \$1.50; for which he and his family would have the use of two hundred and seventy-eight volumes forever, and his poorer neighbors would participate in these fountains of knowledge.

No philanthropist—no friend of his country, and her glorious institutions—can contemplate these results, and the incalculable consequences they must produce, upon a population of three millions of souls, without blessing a kind Providence for casting our lot where the cultivation and improvement of the human mind, is so eminently the object of legislative care, or without feeling that every citizen in his station is bound to forward the great work, until we are as intelligent, as we are free.

The attention of Trustees of School Districts, Commissioners of Common Schools, and County Clerks, is invited to all the Regulations, but particularly to Article XV, of Regulations No. 1. It is of great importance to be able to lay before the Legislature, at its next session, an account of the operation of the laws for the purchase of District Libraries; and the Superintendent respectfully but earnestly, urge upon all the officers named, a prompt compliance with that article. The County Clerks can do much towards insuring a compliance with it. Will they have the goodness to observe whe-

ther the separate statements and reports, and the Catalogues required by the before mentioned XVth Article come in by the 10th of January next, and if any fail, will they write immediately to the Commissioners of the Common Schools of the deficient towns to forward them without delay?

JOHN C. SPENCER,

Superintendent of Common Schools.

STATE OF NEW-YORK.

AN ACT

RESPECTING SCHOOL DISTRICT LIBRARIES.

(PASSED APRIL 15, 1839.)

The People of the State of New-York, represented in Senate and Assembly, do enact as follows :

SECTION 1. The Trustees of every School District shall be Trustees of the Library of such District : and the property of all Books therein, and of the case and other appurtenances thereof, shall be deemed to be vested in such Trustees, so as to enable them to maintain any action in relation to the same. It shall be their duty to preserve such books and keep them in repair ; and the expenses incurred for that purpose, may be included in any tax list to be made out by them as Trustees of a District, and added to any tax voted by a District Meeting, and shall be collected and paid over in the same manner. The Librarian of any District Library shall be subject to the directions of the Trustees thereof, in all matters relating to the preservation of the books and appurtenances of the Library, and may be removed from office by them for wilful disobedience of such directions, or for any wilful neglect of duty ; and whenever they shall have reason to apprehend the loss of any such Books, or their injury, or destruction by his misconduct ; and whenever a

Who to be
Trustees of
Libraries.

Their duty.
Expenses,
how defray-
ed.

Librarian.

vacancy shall exist in the office of Librarian, the same shall be supplied by the Trustees until the next annual meeting of the inhabitants of the District.

Liability of Trustees.

§ 2. Trustees of School Districts shall be liable to their successors for any neglect or omission, in relation to the care and superintendence of District or joint Libraries, by which any Books therein are lost or injured, to the full amount of such loss or injury in an action on the case, to be brought by such successors in their name of office.

Regulations by Superintendent.

§ 3. A set of general regulations Respecting the preservation of School District Libraries, the delivery of them by Librarians and Trustees to their successors in office, the use of them by the inhabitants of the District, the number of volumes to be taken by any one person at any one time or during any term, the periods of their return, the fines and penalties that may be imposed by the Trustees of such Libraries for not returning, losing or destroying any of the Books therein, or for soiling, defacing or injuring them, may be framed by the Superintendent of Common Schools, and printed copies thereof shall be furnished to each School District of the State; which Regulations shall be obligatory upon all persons and officers having charge of such Libraries, or using or possessing any of the Books thereof.

Fines, how recovered.

Such fines may be recovered in an action of debt, in the name of the Trustees of any such Library, of the person on whom they are imposed, except such person be a minor; in which case they may be recovered of the parent or guardian of such minor, unless notice in writing shall have been given by such parent or guardian to the Trustees of such Library, that they will not be responsible for any Books delivered such minor. And persons with whom minors reside shall be liable in the same manner, and to the same extent, in cases where the parent of such minor does not reside in the District.

Appeals to Superintendent.

§ 4. Any person conceiving himself aggrieved by any act or decision of any Trustees of School Districts, concerning District School Libraries or the Books therein, or the use of such Books, or of any Librarian, or of any District Meeting in relation to their School Library, may appeal to the Superintendent of Common Schools, in the same manner as

provided by law in relation to Common Schools, and his decisions thereon shall be final.

§ 5. The legal voters in any two or more adjoining Districts may, in such cases as shall be approved by the Superintendent of Common Schools, unite their Library moneys and funds as they shall be received or collected, and purchase a joint Library for the use of the inhabitants of such Districts, which shall be selected by the Trustees thereof, or by such persons as they shall designate, and shall be under the charge of a Librarian to be appointed by them; and the foregoing provisions of this act shall be applicable to the said joint Libraries, except that the property in them shall be deemed to be vested in all the Trustees for the time being of the Districts so united. And in case any such District shall desire to divide such Library, such division shall be made by the Trustees of the two Districts whose Libraries are so united, and in case they cannot agree, then such division shall be made by three disinterested persons, to be appointed by the Superintendent of Common Schools.

Joint Libraries by two or more Districts.

§ 6. The moneys directed to be distributed to Common Schools by the fourth section of chapter two hundred and thirty-seven of the acts of 1838, shall be applied to the purchase of Books for a District Library for the term of five years; and the said moneys shall be distributed to the School Districts in the same manner and proportions as the public School money, and upon the like terms and conditions in all respects. And if by reason of non-compliance with such conditions, any Library money shall be withheld from any School District, the same may be distributed among other Districts complying with such conditions, or may be retained and paid subsequently to the District from which the same was withheld, as shall be directed by the Superintendent of Common Schools, according to the circumstances of the case.

Distribution of Library money.

When it may be withheld.

§ 7. The Superintendent of Common Schools, whenever requested by the Trustees of a School District under the directions of the legal voters of such District, may select a Library for their use, and cause the same to be delivered to the Clerk of the County in which such District is situated, at its

When Superintendent may select Libraries.

Instructions for executing this Act. expense. He shall transmit a sufficient number of copies of this Act, to supply each School District in the State, with forms and instructions for its execution, to the Clerks of the respective Counties, who shall forward the number directed to each School District in his County, to the Clerk thereof.

STATE OF NEW-YORK, }
 SECRETARY'S OFFICE. }

I have compared the foregoing with the original Act of the Legislature of the State of New-York, entitled "An Act respecting School District Libraries," deposited and of record in my office, and I certify that the same is a true and correct transcript therefrom and of the whole of the said original Act.

[I. S.] GIVEN under my hand and seal of office, this
 ninth day of May one thousand eight hundred and thirty nine.

JOHN C. SPENCER,
 Secretary of State.

DISTRICT LIBRARY REGULATIONS, NO. I.

REGULATIONS

Respecting District Libraries, their preservation, and the delivery of them by Librarians and Trustees, to their successors in office: and instructions for the execution of "An act respecting School District Libraries," passed April 15, 1839, pursuant to the third and seventh sections of the said act; intended for the government of the officers having charge of such Libraries.

I. In respect to the selection of books for District Libraries. The Superintendent has no authority to make such selections, unless requested by the Trustees of a District pursuant to a vote of its inhabitants. He is prepared to act on the subject as prescribed by the statute, whenever requested; but he desires it to be distinctly understood that he does not proffer his services; much preferring that the inhabitants of a District should consult their own tastes and judgment. At the same time, he is bound to see the law faithfully executed: and as jurisdiction upon appeal from the proceedings of District meetings and Trustees, as well in relation to the selection of a Library as to all other matters connected with it, is given to him by law, it is proper that the principles which will govern decisions on such appeals should be known.

The object of the law, for procuring District Libraries is to diffuse information, not only, or even chiefly, among children or minors, but among adults and those who have finished their Common School education. The books therefore, should be such as will be useful for circulation among the inhabitants generally. They should not be children's books, or of a juvenile character, or light and frivolous tales and romances; but works conveying solid information which will excite a thirst for knowledge, and also gratify it, as far as such a

Library can. Works imbued with party politics and those of a sectarian character, or of hostility to the christian religion, should on no account be admitted; and if any are accidentally received, they should be immediately removed. Still less can any District be permitted to purchase school-books, such as spelling-books, grammars or any others of the description used as text books in schools. Such an application of the public money would be an utter violation of the law. If any case of improper selection of books should come before the Superintendent, by appeal from any inhabitant, such selection would be set aside; and if it appeared from the reports, which according to these regulations must be made, that such books had been purchased, the Commissioners will be bound to withhold the next years' Library money from such District. These penalties and provisions will be rigidly enforced; for upon a faithful administration of the law, the usefulness and the continuance of the system will depend. If the public munificence be abused, it will unquestionably cease.

The selection of books is to be made by the inhabitants of the District in a District meeting, or by the Superintendent when requested, by the Trustees as before mentioned. Although no legal provision exists by which Trustees can be authorized to select them, yet if a selection made by them, is approved at a District meeting it will be valid.

The Superintendent feels it to be his duty, although an unpleasant one, to caution Districts against collections of frivolous works, some of which are already advertized as District Libraries. The advice of persons familiar with the best works in our language should be taken in making purchases; and it is recommended that *utility* be consulted in the choice of books rather than novelty. Works already known, and whose worth has been approved by the judgment of the public, should be preferred to new productions, which have not attained a character. Economy, also, should be maintained in buying Libraries, that the utmost benefit may be derived from the Library Fund. Those publishers who print large editions and make calculations for forming complete Libraries, can, and do afford their books much cheaper than others. For instance, the first series of the District Library issued by the Messrs. Harpers of New-York, which is the best selection that has yet appeared, consists of fifty volumes, and is sold for twenty dollars including a neat case with a good lock, delivered at forty-five different places in the State. Estimating the case and lock at one dollar, the average price of each volume will be about thirty-eight cents. The same enterpri-

sing publishers are preparing a second and a third series, to consist of books selected by competent persons and approved by the Superintendent of Common Schools. It is not improbable that other publishers will also prepare and publish District Libraries. With such opportunities for procuring the very best books at a cheap rate, it would be lamentable if more money should be paid for them than they can be procured for with a little effort, and it would be humiliating and discouraging, if books of worthless or improper character should be offered to those who hunger for knowledge.

II. The Library is in charge of the Librarian chosen at the *annual* meeting of the District: for he cannot be chosen at a special meeting. If none is elected, the Clerk of the District becomes Librarian. Where by the laws regulating schools in cities or particular places, no Trustees are chosen by the inhabitants, the District Clerk, if there be one, is Librarian. If there be no District Clerk, the Trustees of the District may appoint the Librarian.

Trustees of School Districts, are by virtue of their office, Trustees of the Library, and have the general charge and superintendence of it. The Librarian is subject to their directions in all matters relating to the preservation of the books and appurtenances of the Library, and he may be removed by them for the causes and under the circumstances mentioned in the first section of the "Act respecting School District Libraries."

Whenever the Trustees go out of office they are to deliver to their successors all the books in the District Library, with the case and all other appurtenances, and such delivery should be had within ten days at least after their successors are chosen: and the Librarian is at the same time to deliver to his successor all the minutes, catalogues, papers and property, appertaining to the Library.

III. Within ten days after the receipt of these regulations, Librarians having charge of District Libraries are to make out a full and complete catalogue of all the books contained therein; and when any Library is purchased and taken charge of by the Librarian, a catalogue of the books is to be made. At the foot of each catalogue the Librarian is to sign a receipt in the following form "I, A—— B——, do hereby acknowledge that the books specified in the preceeding catalogue have been delivered to me by the Trustees of School District No. in the town of to be safely kept by me as Librarian of the said District for the use of the inhabitants thereof, according to the regulations prescribed by the Super-

intendent of Common Schools, and to be accounted for by me according to the said regulations to the Trustees of the said District, and to be delivered to my successor in office. Dated, &c." A correct copy of the catalogue and receipt is then to be made, to which the Trustees are to add a certificate in the following form: "We the subscribers, Trustees of School District No. in the town of do certify that the preceding is a full and complete catalogue of books in the Library of the said District now in possession of A—— B——, the Librarian, thereof and of his receipt thereon. Given under our hands this day of 18 ." The catalogue having the Librarian's receipt, is to be delivered to the Trustees, and the copy having the certificate of the Trustees, is to be delivered to the Librarian for his indemnity.

Whenever books are added to the Library, a catalogue with a similar receipt by the Librarian is to be delivered to the Trustees, and a copy with a certificate of the Trustees that it is a copy of the catalogue delivered them by the Librarian, is to be furnished to him. Every catalogue received by Trustees is to be kept by them carefully among the papers of the District and to be delivered to their successors in office.

IV. Whenever a new Librarian shall be chosen, and whenever new Trustees are to be chosen, and also at the expiration of six months from the time any Trustees shall be elected, all the books shall be called in. For this purpose the Librarian is to refuse to deliver out any books for fourteen days preceeding the time so prescribed for collecting them together: and the books shall be thus called in at least twice in each year, at the times above prescribed. At each of these periods, and particularly when the Trustees are about going out of office, they must make a careful examination of the books, compare them with the catalogue, and make written statements in a column opposite the name of each book of its actual condition, whether lost or present, and whether in good order or injured, and if injured, specifying in general terms, the extent of such injury. This catalogue, with the remarks, is to be delivered to the successors of the Trustees to be kept by them; a copy of it is to be made out, and delivered to the new Librarian with the Library, by whom a receipt in the form above prescribed is to be given, and to be delivered to the Trustees. Another copy certified by them as before mentioned, is to be delivered to the Librarian.

V. Trustees, on coming into office are to attend at the Library for the purpose of comparing the catalogue with the

books. They are at all times when they think proper, and especially on their coming into office, to examine the books carefully, and note such as are missing or injured. For every book that is missing the Librarian is accountable to the Trustees for the full value thereof, and for the whole series of which it formed a part: such value to be determined by the Trustees. He is accountable also for any injury which a book may appear to have sustained, by being soiled, defaced, torn, or otherwise. And he can be relieved from such accountability only by the Trustees, on its being satisfactorily shewn to them that some inhabitant of the District has been charged or is chargeable for the value of the book so missing, or for the amount of the injury so done to any work. It is the duty of the Trustees to take prompt and efficient measures for the collection of the amount for which any Librarian is accountable; such amount when collected is to be applied as directed in Article XII of Regulations No. II, with respect to fines.

VI. It is the duty of the Trustees to provide a plain and sufficient Case for the Library, with a good lock, if the District shall have neglected to do so. They are also to cause the books and case to be repaired as soon as may be, when injured; they are also to provide sufficient strong wrapping-paper to cover their books, and the necessary writing-paper to enable the Librarian to keep minutes of the delivery and return of books. These are proper expenses for the preservation and repair of the books, and are to be defrayed by a tax on the District, which is to be added by the Trustees to any tax voted by a District meeting. It is not necessary that the tax to defray these expenses should be voted by the inhabitants of the District; it is to be assessed and collected in the same manner as a tax for building or repairing a school-house, or to furnish it with necessary fuel and appendages.

VII. The Librarian must cause to be pasted in each book belonging to the Library, a printed or written label, or must write in the first blank leaf of each book, specifying that the book belongs to the Library of School District No. , in the town of , naming the town and giving the number of the District; and he is on no account to deliver out any book which has not such printed or written declaration in it. He is also to cause all the books to be covered with strong wrapping-paper, on the back of which is to be written the title of the book, and its number in large figures. As new books are added, the numbers are to be continued, and they are in no case to be altered; so that if a book be lost, its number and

title must still be continued on the catalogue, with a note that it is missing.

VIII. The Librarian must keep a blank-book, that may be made by stitching together half a dozen or more sheets of writing-paper. Let these be ruled across the width of the paper so as to leave five columns of the proper size for the following entries, to be written lengthwise of the paper: in the first column, the date of the delivery of any book to any inhabitant; in the second, the title of the book delivered, and its number; in the third, the name of the person to whom delivered; in the fourth, the date of its return; and in the fifth, remarks, respecting its condition, in the following form:

Time of delivery.	Title and No. of Book.	To whom.	When returned.	Condition.
1830, June 10.	History of Virginia 43.	T. Jones.	20th June.	Good.

The proper width of each column can be ascertained by writing the different entries on a half sheet of paper and seeing how much room they respectively occupy.

As it will be impossible for the Librarian to keep any trace of the books without such minutes, his own interest to screen himself from responsibility, as well as his duty to the public, will, it is to be hoped, induce him to be exact in making his entries at the time any book is delivered; and when it is returned, to be equally exact in noticing its condition, and making the proper minute.

IX. A fair copy of the catalogue should be kept by the Librarian, to be exhibited to those who desire to select a book; and if there be room, it should be fastened on the door of the case.

X. The several Trustees of School Districts are hereby required, in their annual reports to the Commissioners of Common Schools, to state *the number* of books belonging to their District Library on the last day of December in each year.

XI. The Trustees of each school District shall, at the time of their making their annual reports, deliver to the Commissioners of Common Schools of their Town, a catalogue containing the titles of all the books in the District Library, with the number of volumes of each set or series, and the condition of such books, whether sound, or injured, or defaced. This catalogue must be signed by them and by the Librarian: and when Trustees hold over, they shall annually deliver a similar catalogue to the Commissioners.

XII. The Commissioners of Common Schools in each Town are required carefully to preserve such catalogues, and

deliver them, with the papers of their office, to their successors, who are also required to preserve the catalogues delivered to them, and hand them over to their successors.

XIII. Commissioners of Common Schools cannot pay over any Library money to the Trustees of a District in the following cases :

1st. If a Catalogue, as required by Article XI, has not been delivered to them.

2d. If the number of books belonging to its Library is not stated in the Annual Report of the Trustees,

3d. If it does not clearly appear from such Report that the *whole* of the Library money paid to such District the preceding year, has been expended in the purchase of books. No part of the Library money can be applied to the purchase of a *case* for the books. These are "the like conditions" referred to in the Act authorizing the apportionment of public money to District Libraries.

4th. Whenever it appears that any District has expended any portion of its Library money in the purchase of any text book used in schools, such as spelling books, arithmetics, or grammars, or any book clearly improper to be admitted into a District Library.

XIV. Whenever Commissioners of Common Schools withhold from any District its Library money, they are to report the case and the circumstances to the Superintendent, in order to enable him to exercise the discretion given by the sixth section of the "Act respecting School District Libraries."

XV. As the regular annual reports for the year 1839, will not reach the Superintendent until the first of October, 1840; it will be impossible to furnish the Legislature of 1840 with any account of the result of the measures taken to establish District Libraries, unless separate and special reports are required.

The Superintendent therefore hereby requires the Trustees of each School District on the last day of December, 1839, to transmit to the Commissioners of Common Schools, besides their annual report, *a separate statement*, under their hands, of the number of books belonging to their Library on that day, together with a copy of the catalogue of the books in such Library, certified by the Librarian. The Commissioners are required to transmit the said separate statement and the said catalogue to the County Clerk of their county, on or before the 10th day of January, 1840; and the respective

County Clerks will immediately forward to the Superintendent, by mail, the statements and catalogues so received.

XVI. Whenever in these regulations any act or duty is directed or authorized to be performed by Trustees of Libraries, the same may be performed by a majority of the Trustees at a meeting of the whole number ; and when any meeting of the Trustees shall have been notified, by notice given by any one Trustee to the others, a majority of the whole are competent to the transaction of any business, in the same manner as if all were present. But a majority cannot act unless notice has been given to all to attend at the time and place of meeting.

XVII. Whenever the legal voters of two or more Districts desire to unite their Library moneys and funds, and purchase a joint Library, under the provisions of the 5th section of the Act hereto annexed, a special meeting should be called in each District for the purpose, under a notice specifying the object. The Trustees will then transmit to the Superintendent certified copies of the votes, and a statement of the number voting for and against them. They will also furnish statements of the number of inhabitants, the valuations of their property, the amount of Library money received in each District, the amount each has voted to raise by tax on the District, and a general description or map of the Districts, so as to shew their contiguity ; and in all cases where the convenience of the inhabitants will be promoted and the great object of the Libraries will be advanced by such a union, the Superintendent will cheerfully give his approbation to its being formed.

XVIII. Where such union is formed, the preceding regulations will be deemed to apply to the Joint Library, subject only to the variations prescribed in the before mentioned fifth section, and such as arise from the nature of the union. A majority of the whole number of Trustees of all the Districts considered as one body, will be competent to the transaction of business, and to decide all questions which may properly come before them.

STATE OF NEW-YORK, }
 SECRETARY'S OFFICE. }

I hereby certify that I have compared the preceding with the original School District Regulations, Number One, framed by me, pursuant to the third section of "An Act respecting School District Libraries," passed April 15, 1839, and depo-

sited in my office, and that the same is a correct transcript therefrom and of the whole of such original.

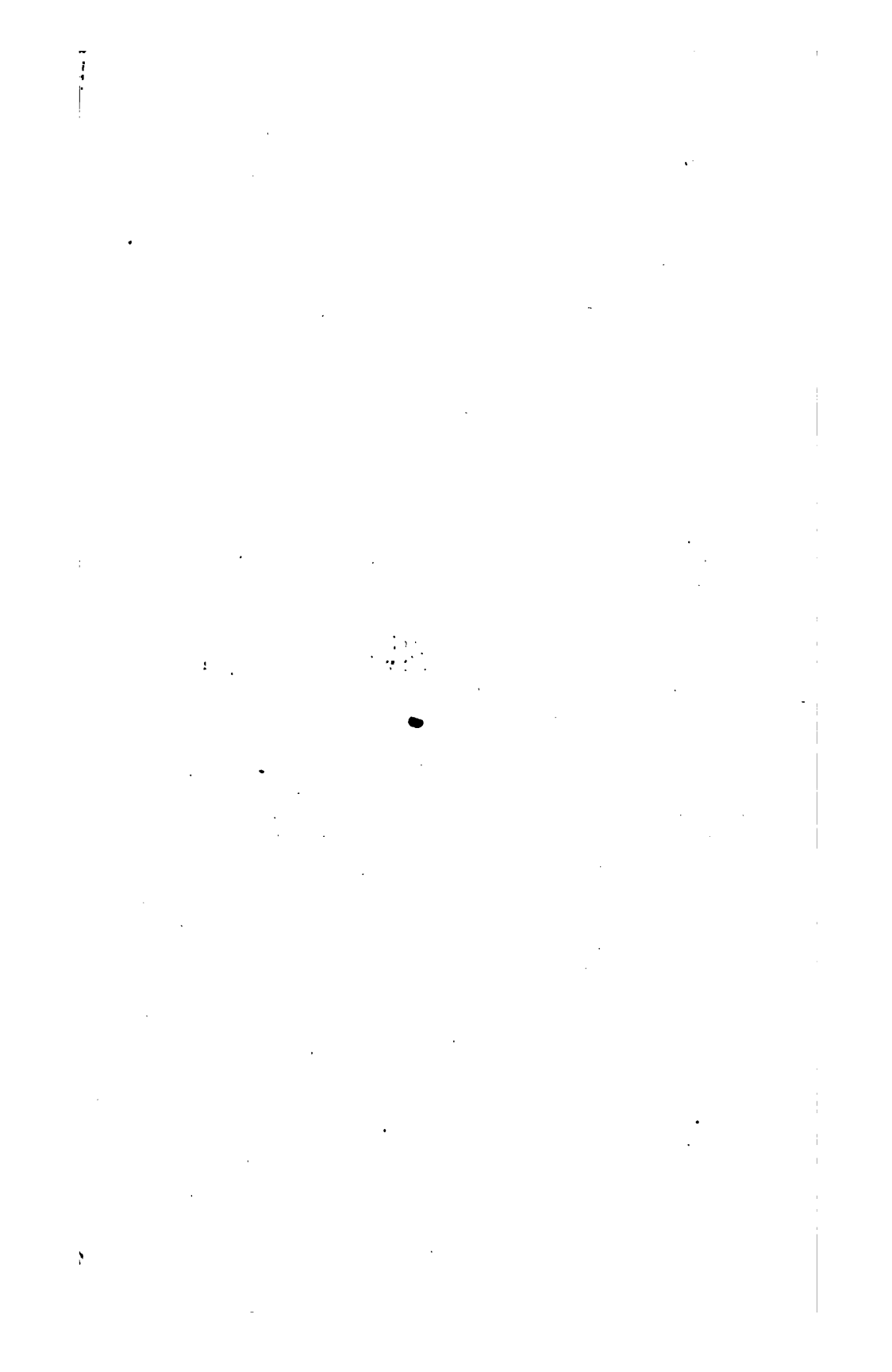
Given under my hand and the seal of office of Secretary of State, this tenth day of May, one thousand eight hundred and thirty-nine.

JOHN C. SPENCER,

Superintendent of Common Schools.

It is proper to remark that by section 6 of the Act relative to Common Schools, passed May 3, 1839, a penalty of ten dollars is incurred by every Commissioner of Common Schools and by every Trustee of a School District for refusing or wilfully neglecting to perform any duty required by law or by any regulation of the Superintendent of Common Schools, under the authority of any statute; and they are also liable to their Towns and Districts for the amount of any loss that may be sustained by reason of such neglect or refusal.

☞ Should an authenticated copy of these Regulations be required for the purpose of any suit, it will be furnished upon application to the Superintendent.



DISTRICT LIBRARY REGULATIONS, NO. II.

REGULATIONS

Concerning the use of the Books in District Libraries prescribed by the Superintendent of Common Schools pursuant to the third section of the "Act respecting School District Libraries," passed April 15th, 1839.

I. The Librarian has charge of the books and is responsible for their preservation and delivery to his successor.

II. A copy of the catalogue required to be made out by Articles III and IV of Regulations No. 1, to be kept by the Librarian, open to the inspection of the inhabitants of the District at all reasonable times. It will be found convenient to affix a copy of it on the door of the book-case containing the Library.

III. Books are to be delivered as follows :

1st. Only to inhabitants of the District.

2d. One only can be delivered to an inhabitant at a time ; and any one having a book out of the Library must return it before he can receive another.

3d. No person upon whom a fine has been imposed by the Trustees under these Regulations, can receive a book while such fine remains unpaid.

4th. A person under age cannot be permitted to take out a book unless he resides with some responsible inhabitant of the District ; nor can he then receive a book if notice has been given by his parent or guardian or the person with whom he resides, that they will not be responsible for books delivered such minor.

IV. Every book must be returned to the Library within fourteen days after it shall have been taken out ; but the same inhabitant may again take it, unless application has been

made for it, while it was so out of the Library, by any person entitled, who has not previously borrowed the same book, in which case such applicant shall have a preference in the use of it. And where there have been several such applicants, the preference shall be according to the priority in time of their applications, to be determined by the Librarian.

V. If a book be not returned at the proper time, the Librarian is to report the fact to the Trustees; and he must also exhibit to them every book which has been returned injured by soiling, defacing, tearing, or in any other way, before such book shall be again loaned out, together with the name of the inhabitant in whose possession it was when so injured.

VI. The Trustees of School Districts being by virtue of their office Trustees of the Library, are hereby authorized to impose the following fines:

1st. For each day's detention of a book, beyond the time allowed by these regulations, six cents, but not to be imposed for more than ten days detention.

2d. For the destruction or loss of a book, a fine equal to the full value of the book, or of the set, if it be one of a series, with the addition to such value of ten cents for each volume. And on the payment of such fine, the party fined shall be entitled to the residue of the series. If he has also been fined for detaining such book, then the said ten cents shall not be added to the value.

3d. For any injury which a book may sustain after it shall be taken out by a borrower and before its return, a fine may be imposed of six cents for every spot of grease or oil upon the cover or upon any leaf of the volume; for writing in or defacing any book, not less than ten cents, nor more than the value of the book; for cutting or tearing the cover, or the binding, or any leaf, not less than ten cents nor more than the value of the book.

4th. If a leaf be torn out, or so defaced or mutilated that it cannot be read, or if any thing be written in the volume, or any other injury done to it which renders it unfit for general circulation, the Trustees will consider it a destruction of the book and shall impose a fine accordingly, as above provided in case of loss of a book.

5th. When a book shall have been detained seven days beyond the 14 days allowed by these Regulations, the Librarian shall give notice to the borrower to return

the same within three days. If not returned at that time, the Trustees may consider the book lost or destroyed, and may impose a fine for its destruction, in addition to the fines for its detention.

VII. But the imposition of a fine for the loss or destruction of a book, shall not prevent the Trustees from recovering such book in an action of replevin, unless such fine shall have been paid.

VIII. When in the opinion of the Librarian any fine has been incurred by any person under these Regulations, he may refuse to deliver any book to the party liable to such fine, until the decision of the Trustees upon such liability, be had.

IX. Previous to the imposition of any fine, two days written or verbal notice is to be given by any Trustee, or the Librarian, or any other person authorized by either of them, to the person charged, to shew cause why he should not be fined for the alleged offence or neglect. And if within that time good cause be not shewn, the Trustees shall impose the fine herein prescribed. Nothing shall be deemed good cause, but the fact that the book was as much injured when it was taken out by the person charged, as it was when he returned it. As the loss arising from an injury even by inevitable accident must fall on some one, it is more just that it should be borne by the party whose duty it was to take care of the volume, than by the District. Negligence can only be prevented, and disputes can only be avoided, by the adoption of this rule.

X. It is the special duty of the Librarian to give notice to the borrower of a book that shall be returned injured, to shew cause why he should not be fined. Such notice may be given to the agent of the borrower who returns the book; and it should always be given at the time the book is returned.

XI. The Librarian is to inform the Trustees of every notice given by him to shew cause against the imposition of a fine; and they shall assemble at the time and place appointed by him, or by any notice given by them or any one of them; and shall hear the charge and defence. They are to keep a book of minutes, in which every fine imposed by them, and the cause, shall be entered and signed by them or the major part of them. Such original minutes, or a copy certified by them or the major part of them, or by the clerk of the District, shall be conclusive evidence of the fact that a fine was imposed as stated in such minutes, according to these Regulations.

XII. It shall be the duty of Trustees to prosecute promptly for the collection of all fines imposed by them. Fines collected for the detention of books, or for injuries to them, are to be applied to defray the expense of repairing the books in the Library. Fines collected for the loss or destruction of any book, or of a set or series of books, shall be applied to the purchase of the same or other suitable books.

XIII. These Regulations being declared by law "obligatory upon all persons and officers having charge of such Libraries, or using or possessing any of the books thereof," it is expedient that they should be made known to every borrower of a book. And for that purpose a printed copy is to be affixed conspicuously on the case containing any Library, or on one of such cases, if there be several: and the Librarian is to call the attention to them of any person on the first occasion of his taking out a book.

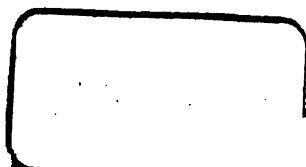
STATE OF NEW-YORK:
OFFICE OF SUPERINTENDENT OF
COMMON SCHOOLS.

I hereby certify that I have compared the preceding with the original District Library Regulations, Number Two, framed by me, pursuant to the third section of "an act respecting School District Libraries," passed April 15, 1839, and deposited in my office, and that the same is a correct transcript therefrom and of the whole of such original.

Given under my hand and the seal of office of Secretary of State, this tenth day of May, one thousand eight hundred and thirty-nine.

JOHN C. SPENCER,

Superintendent of Common Schools.



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